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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/769,462	01/26/2001	Thomas Thoroe Scherb	P20418	5458

7590 04/22/2003
Greenblum & Bernstein, P.L.C.
1946 Roland Clarke Place
Reston, VA 20191

EXAMINER

CHIN, PETER

ART UNIT	PAPER NUMBER
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1731

DATE MAILED: 04/22/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/769,462

Applicant(s)

SCHERB ET AL.

Examiner

Peter Chin

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 February 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In view of the remarks made in the Brief, Paper No. 19 and the submission of a certified English translation of Applicant's priority document, the Finality of the Office Action, Paper No. 11 is hereby vacated and the following action is taken:

1. Claims 1-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kamps et al (WO 9635018) taken in view of Schiel (6,004,429) or Bluhm et al (5,556,511).

Kamps et al shows a process for making tissue paper having a decorative pattern of differing basis weight using a decorative pattern on a forming fabric. The decorative pattern is sewn, woven or formed by any convenient means into the forming fabric. The pattern on the forming fabric creates areas of slower drainage, i.e., the forming fabric has areas of differing permeabilities. Figures 4 and 5 show wet press process for making tissue paper.

Figure 5 of Kamps et al shows a twin wire crescent former. A web is formed between the gap formed by forming fabric 13, which bears the decorative pattern and dewatering felt 12. The web is subsequently wet pressed at press roll 41 and Yankee dryer 40.

Schiel shows a process for making wet pressed tissue paper that uses a crescent former of the type disclosed by Kamps et al. Schiel extended nip press design advantageously achieves more efficient dewatering and reduces the size of the paper machine. The web is transferred to the Yankee by press shoe roll 28 which in

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combination with the Yankee define an extended press nip having a length 50-120 mm and a pressure of 2.5 to 5 MPa.

Similarly, Bluhm et al teaches that it is advantageous to transfer the wet web to the heated creping roll using a press shoe. Improved bulk and softness is realized by this process.

Thus, for the advantageous taught by Schiel and Bluhm et al, it would have been obvious to employ an extended nip press arrangement as claimed in Kamps et al in manner taught by Schiel or Bluhm et al.

In regard to claims 17,18,33 and 34, Kamps et al discloses that the decorative pattern is created by weaving and thus, it would have been obvious to employ well known methods such as the use of filler yarns for achieving the differing permeabilities. In any case the forming fabric per se is well known as acknowledged on pages 9 and 14 of the present specification.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter Chin whose telephone number is (703) 308-2046. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on (703) 308-1164. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7718 for regular communications and (703) 305-3599 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0651.

A handwritten signature in dark ink, appearing to read 'Peter Chin', with a long horizontal stroke extending to the right.

Peter Chin
Primary Examiner
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